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10 Attorneys for Defendant,  
11 EVAN RAY ATKINSON

8 **UNITED STATES DISTRICT COURT**  
9 **DISTRICT OF NEVADA**

10 \* \* \* \*

11 **UNITED STATES OF AMERICA** )  
12 ) **CASE NO. 3:22-MJ-0004-CLB**  
13 **Plaintiff,** )  
14 **vs.** )  
15 **EVAN RAY ATKINSON,** )  
16 **Defendant.** )  
17 \_\_\_\_\_ )

18 **ORDER REGARDING 45 CFR § 164.512(f)**

19 On January 12, 2022, the Court Ordered Defendant Evan Ray Atkinson to be released from  
20 custody on conditions that include placement in the Fred Brown Recovery Services treatment  
21 program. The Order further requires Mark Malone, Director at Fred Brown Recovery Services, to  
22 notify United States Pretrial Services in the event that he becomes aware of Evan Atkinson violating  
23 the conditions of his release. Accordingly, the Court hereby Orders that even without a consent form  
24 being executed by Evan Atkinson, or in the event that a consent form is executed by Evan Atkinson  
25 and later revoked, Mark Malone as Director of Fred Brown Recovery Services is Ordered to report  
26 to Pretrial Services, without patient authorization, any knowledge that he has that Mr. Atkinson has  
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1 violated conditions of his pretrial release. Mark Malone as Director of Fred Brown Recovery  
2 Services is further Ordered to report to United States Pretrial Services, without patient authorization,  
3 that Mr. Atkinson has revoked any prior consent that he has given to Fred Brown Recovery Services  
4 which authorized Fred Brown Recovery Services to communicate with United States Pretrial  
5 Services if any such revocation should occur.  
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7 These Orders are entered pursuant to the exceptions to the Health Insurance Portability and  
8 Accountability Act ("HIPAA") found in 45 CFR § 164.512(f).  
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10 **IT IS SO ORDERED.**

11 Dated this 13th day of January, 2022.



12  
13 CAM FERENBACH  
UNITED STATES MAGISTRATE JUDGE

14 Respectfully submitted:

15  
16 /s/ Richard A. Schonfeld  
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21 Approved as to Form:

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23 Acting United States Attorney

24 /s/ Andolyn Johnson  
25 ANDOLYN JOHNSON  
26 Assistant United States Attorney  
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